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DEPARTMENT FOR G/IWI AND NEA/ELA

E.O. 12958: DECL: 02/13/2018
TAGS: [PGOV](#) [KWMN](#) [KPAL](#) [KDEM](#) [JO](#)
SUBJECT: JORDANIAN IDENTITY POLITICS TRUMP GENDER CONCERNS
ON CITIZENSHIP LAW CHANGES

REF: A. 02 AMMAN 6528
[1](#)B. 03 AMMAN 5012
[1](#)C. AMMAN 391

Classified By: Charge d'Affaires Daniel Rubinstein
for reasons 1.4 (b) and (d)

[1](#)1. (C) Summary: The issue of who can and cannot transmit citizenship is an ongoing concern of many women in Jordan, and was revived in the public consciousness during recent parliamentary elections. Jordanian women married to non-Jordanian men do not transmit citizenship to their children. This creates a precarious situation, primarily for the children of Palestinian fathers, but also for the children of foreign laborers resident in Jordan. Women's rights activists have worked on this situation for years, to no avail. Even public statements by, and strong support for legislative action from, the Queen have fallen on deaf ears. Meanwhile, the number of families with a tenuous legal situation in Jordan is growing as the Palestinian-origin population intermingles with East Bankers. Lawmakers dismiss changes to the law as politically impossible, even as civil society professes its willingness to compromise. In the end, it is Jordanian identity politics, not gender concerns, that are at the heart of this debate. End Summary.

The Battle Over Jordan's Citizenship Law

[1](#)2. (SBU) During the parliamentary campaign season, Jordanian voters (especially women) started to resurrect an issue of specific importance to them - amending Jordan's citizenship law. The issue of citizenship transferral has long been an issue in Jordan, which is home to large communities of refugees (and their descendants) as well as foreign workers who have naturally integrated with their Jordanian hosts. For the past several years, civil society activists and some parliamentarians have called for a new law or amendments to the current statute that would allow Jordanian women to pass citizenship to their children.

[1](#)3. (U) According to the citizenship law currently in force (which dates to 1954, with several amendments), non-Jordanian women who marry Jordanian men can naturalize as Jordanian citizens after living in the country for certain periods of time. Wives of Arab extraction or nationality can become Jordanian citizens after three years' residence, and those from other countries can obtain citizenship after five years. While naturalization is possible for the wives of Jordanians, there is no such naturalization statute for children. The current law automatically grants citizenship to children of Jordanian men, regardless of where they are born. Yet there is no statute whereby women can transmit Jordanian citizenship, either to their spouses or their children. Note: The one exception is illegitimate children

born to Jordanian women or cases where the father is unknown. These children automatically receive Jordanian citizenship. End Note.

¶4. (SBU) This issue impacts Jordanians of Palestinian origin and migrant workers from other Arab states most acutely. Note: Between the two, these groups are estimated to constitute as much as eighty percent of Jordan's population. End Note. Due to the varying degrees of citizenship available in Jordan, it is often the case that Palestinian men of less than full citizenship (refugees from Gaza or "green card" holders from the West Bank, to be covered septel) along with long term non-citizen laborers from Egypt, marry "full citizen" Jordanian women, producing children who have no rights to Jordanian citizenship. Over time, this has resulted in a growing number of families with split legal status in Jordan, despite having been born in Jordan or having lived in the country for decades.

¶5. (C) Queen Rania (herself of Palestinian origin) raised hackles and eyebrows in 2002 when she declared support for a provisional law which would allow women to pass Jordanian citizenship to their children (Refs A and B). That statement was followed up by a brief spate of op-eds and civil society campaigns in support of the law's implementation. The law was enacted, yet the new right remained theoretical in practice, as it required approval by the Council of Ministers for individual cases rather than making citizenship transmittal automatic. Since the law's enactment, no cases have been referred to the Council of Ministers for approval. Contacts note with wry smirks that even the Queen's intervention was not enough to quell the backlash of Jordan's political establishment. Eva Abu Hawaleh, a human rights lawyer, says that since "the decision didn't come from inside the government," the security services effectively quashed

the law's effect. Note: Provisional laws, enacted by the government in the absence of parliament, remain on the books until considered in a subsequent legislative term. Six years after its enactment, the parliament has yet to revisit the changes to the citizenship law. End Note.

Growing Pressure for Change

¶6. (C) There is a growing realization among women's rights activists and female members of parliament that something has to be done. Rawa Sarrar, head of a women's center in the Baqa'a Palestinian refugee camp, says that changes in the personal status law are a primary political concern among the women she serves. Through the center, the female voters of Baqa'a camp raised the issue repeatedly during the campaign season, and continue to do so with women who were seated in parliament as a result of the quota. Sarrar hopes that political pressure from NGOs and female voters will lead to necessary changes in the law, but she realizes that it is an uphill political fight. "Hopefully, it will happen during this term," she says.

¶7. (C) "Families in Jordan suffer from many provisions in the law," says Senator Haifa Abu Ghazaleh, who also serves as the Secretary General of the National Council for Family Affairs. She cites the many foreign laborers from Egypt and elsewhere in the Arab world who have lived in Jordan for long periods of time and are married to Jordanian women, but whose children are not entitled to Jordanian citizenship. Like many of our contacts, Abu Ghazaleh theorizes that until the Palestinian question is solved in Jordan, changes to the citizenship law are basically impossible. "We are waiting for the Palestinian issue to be solved. It won't be solved. Nobody here wants it to be solved," she complains (Ref C).

¶8. (C) Asma Khader, Secretary General of the National Commission for Women (and a former government spokesperson), is less concerned about the Palestinian factor, and more concerned about the message being sent to Jordanian women about their role in society. "It's not just about politics, it's about patriarchy," she says. Khader posits that the

lack of an egalitarian citizenship law shows that women are second class citizens in Jordan, regardless of their political class or national origin. Eva Abu Hawaleh disagrees - she asserts that "it's not gender politics. The assumption is that men from the West Bank would pour over the border to marry Jordanians."

¶9. (C) "This is an issue for all women's groups in Jordan," Khader says. "We thought domestic violence would be the number one issue among women, but it isn't. Citizenship rights are the number one issue for women in Jordan." Yet the National Commission for Women is stuck between a rock and a hard place when it comes to lobbying for amendments to the citizenship law. According to Khader, it receives floods of petitions from Jordanian women asking for intervention with the authorities on their behalf. Yet there is very little that the commission can do, other than express concerns to the Ministry of Interior and lobby the King and parliament for changes to the law. Those efforts have had mixed results at best: "His Majesty is very interested (in changes to the law), but the Ministry of Interior is blind. They don't want to recognize this problem." Khader says that even studying the problem is politically impossible, as the government is unlikely to cooperate in counting the numbers of women who are impacted by the law's current provisions.

Working the System

¶10. (C) When asked about the possibility of a new citizenship law which would clarify the situation, the responses of parliamentarians range from deeply pessimistic to bluntly dismissive. MP Reem Qassem, who was elected via the quota for women, calls the ability of Jordanian women to transmit citizenship to their children "a right," but acknowledges that the issue is highly politicized. She holds out little hope of action during the current session of parliament. "We can't do it now," says MP Nasser Al-Qaisi. He and other contacts talk about a worst case scenario in which hundreds of thousands of new Jordanians are created overnight - Jordanians who will require services and representation from an already stretched government. While recognizing that the issue is out there, Qaisi notes that it is either low or absent from the government's priority list. MP Fayez Al-Shawabkeh put forth the novel argument that with rising levels of government support to Jordanian families to offset rising prices, Jordan could not afford to take on additional citizens.

¶11. (U) On February 23, a group of women's rights activists and female parliamentarians met with Prime Minister Dahabi to express their support for changes in Jordan's citizenship law, among other issues. While the group was well-received, the outcome of the meeting failed to point to concrete actions in the near future. Commenting in the Jordan Times after the meeting, activist Amneh Zu'bi stated that, "every time we meet with a Prime Minister, we receive positive responses to our demands. But in reality, we do not sense any tangible changes." Activists and parliamentarians complained in the article that changes demanded by women are "locked in the government's drawers."

¶12. (C) Women's rights activists in Jordan assert that a brand new citizenship law may not, in fact, be necessary. Rather, they believe that the current law is permissive enough, but simply not applied - hence the calls by Queen Rania and others for broad implementation of "humanitarian provisions" in the existing law which allow the Council of Ministers to approve citizenship transmittal in individual cases. "They just have to implement the law and the constitution," says activist Fawzi Samhouri. He adds that, as a party to the International Covenant on Civil and Political Rights, Jordan has a responsibility to treat the sexes equally when it comes to citizenship rights. Even so, Samhouri acknowledges that "rights in Jordan are subject to the approval of ministers - they aren't automatic."

¶13. (C) Asma Khader is of the opinion that "Jordanians are Jordanians wherever they are born," and that the citizenship of children who should by all rights be Jordanian transcends identity politics. Yet she is pragmatic, and is willing to accept even a half solution if it leads to progress on the issue. Khader points to the three year residency requirements for wives of Jordanian men, and wonders if such a provision could be extended to children as well - thereby cementing their Jordanian identity. Many of our civil society contacts share her view that compromise is possible on the issue, as long as the root problem of divided families is addressed somehow.

¶14. (C) Contacts in civil society are working behind the scenes for either implementation of current statutes or a clarification of the law itself, but hold out little hope that change will happen soon. Fawzi Samhoury notes that even the female members of parliament have done a poor job of addressing the issue, and cannot be relied upon to take action: "Women parliamentarians alone can't be advocates of this kind of change. Civil society has to take that responsibility." Asma Khader and Eva Abu Hawaleh raise the issue constantly in meetings with the Ministry of Interior, and pressure the government for action in specific cases. Yet they cannot obtain results. "It's not a legal issue. It's a wasta ("influence peddling") issue. These women have no wasta," Abu Hawaleh admits.

Comment

¶15. (C) Whether changes come through legal clarification or changes in implementation, this seems to be a case where even the royal family has difficulty in turning the ship of state in a favorable direction. While the issue is on its surface a gender concern, it is more fundamentally about identity politics in Jordan. The assumption that the majority of beneficiaries would be Palestinians prevents change from taking place. The security needs of the state (i.e., to prevent a takeover of the East Bank-dominated political and security establishment) are the trump card that thwarts even much-needed changes in the law or administrative practice. It matters little whether the threat is perceived or real; creating political will that can stand up to the demography argument is nearly impossible in Jordan - even for the King. In spite of the Queen's statements and direct lobbying by civil society to the monarch himself with subsequent talk of action, change remains elusive. Grassroots action aimed at the implementing authorities in the Interior Ministry is similarly unfruitful. The category of needed legal changes which touch on the Palestinian issue in Jordan is waiting for one thing, and one thing only: a solution to the Israeli-Palestinian conflict.

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